

The Georgia State Board of Optometry met on **July 16, 2003** at the Professional Licensing Boards Division, 237 Coliseum Drive in Macon, Georgia for the purpose of conducting business.

Members Present:

- H. Kemp Jones, O.D., President
- R. Whitman Lord, O.D., Vice President
- Robin McGhee, O.D.
- Kay F. Royal, O.D.

Others Present:

- Anita O. Martin, Executive Director
- Lea F. Williams, Board Secretary

President Jones established that a quorum was present, and called the meeting to order at 10:06 A.M.

The Board met with Femi Ajayi of the Examination Section to discuss veteran's preference points. No board action was necessary concerning this item.

Dr. Lord moved, Dr. Royal seconded, and the Board voted to enter into **EXECUTIVE SESSION** in accordance with O.C.G.A. §43-1-2(k) to deliberate on applications. Voting in favor of the motion were those present who included Drs. Jones and McGhee.

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| EXECUTIVE SESSION: |
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The Board reviewed and discussed the endorsement application submitted by **M.L.C.**

The Board voted to returned to **Open Session**.

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| OPEN SESSION: |
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Regarding M.L.C.: Dr. Lord made a motion to **request a response** from the applicant pertaining to the answer to question #17 on the application and a board sanction from the State of Virginia. The motion was seconded by Dr. Royal and approved by the Board.

Request submitted by Willoughby L. Minchew, O.D.: Dr. Royal made a motion to **deny** Dr. Minchew's request for reinstatement. The motion was seconded by Dr. McGhee and approved by the Board.

Roster of New Licensees: Dr. Royal made a motion to **approve** the list. The motion was seconded by Dr. Lord and approved by the Board.

E-mail from Jeff Jeruss, O.D. Re: 1-800-Contacts: Dr. Royal made a motion to **advise** Dr. Jeruss that the Board will forward his complaint to the FDA and the FTC and to mail him a copy of O.C.G.A. §31-12-12. Dr. McGhee seconded the motion and it was approved by the Board.

Letter from David Owen, O.D.: This item was discussed and viewed as informational.

Letter from Tom Sellers, O.D.: Dr. Royal made a motion to **send** Dr. Sellers the “no legal advice” letter. The motion was seconded by Dr. McGhee and approved by the Board.

Proposed Rule Amendment of 430-11-.01, Examination Requirements: This item was tabled.

April 9, 2003 Conference Call Minutes: Dr. Lord made a motion to **approve** the minutes as presented. The motion was seconded by Dr. Royal and approved by the Board.

May 20, 2003 Conference Call Minutes: Dr. Royal made a motion to **approve** the minutes as presented. The motion was seconded by Dr. McGhee and approved by the Board.

➤ **Anita O. Martin, Executive Director’s Report**

- Updated on upcoming renewals. The Board voted unanimously to audit 5% of active licensees for continuing education.
- Reported that the Board had received notice that Anthony Guerrero, O.D. had defaulted on state student loans. *Dr. Royal made a motion to suspend Dr. Guerrero’s license. The motion was seconded by Dr. Lord and approved by the Board.*
- Updated the Board on the status of the Henry Rountree Administrative Hearing.

➤ **President’s Report**

- Reported that unlicensed practice of Optometry is now a felony. Requested that the Board send a letter to the GOA and the sponsors of the bill to thank them for their support.
- Reported that the Board will draft information for submission to the GOA for upcoming issue of their newsletter. The Board voted to submit information on upcoming renewals and to remind licensees to make sure a current addresses is on file with the Board.
- The Board voted to, by policy, designate Board member(s) to provide C.E. for jurisprudence when a provider makes a request. This designated Board member will use the Board approved Power Point presentation. The C.E. provider must provide a laptop computer and LCD projector free of charge in order to have this presentation given. The designated Board members are:
 - Dr. H. Kemp Jones, primary provider
 - Dr. Kay Royal, secondary provider
 - Dr. Robin McGhee, alternate

Dr. Royal moved, Dr. Lord seconded, and the Board voted to enter into **EXECUTIVE SESSION** in accordance with O.C.G.A. §43-1-19(h)(2) to deliberate on disciplinary matters, and to receive information on investigative reports. Voting in favor of the motion were those present who included Drs. McGhee and Jones.

REPORTS

- **Enforcement, Kathy Harvey**
 - **Reported on 6 cases.**

The Board returned to **Open Session** to vote on matters discussed in Executive Session.

OPT03-019: Dr. Lord made a motion to **close** the case, as no violations were found. Dr. Royal seconded the motion and it was approved by the Board.

**Freddie's Tattoo
Parlor:**

Dr. Royal made a motion to **accept** the Cease & Desist Order and **close** the case. The motion was seconded by Dr. McGhee and approved by the Board.

OPT03-030: Dr. McGhee made a motion to **refer** the case to the A.G.'s office for advice. The motion was seconded by Dr. Lord and approved by the Board.

OPT03-032: Dr. Lord made a motion to **close** the case, as no violation was found. The motion was seconded by Dr. McGhee and approved by the Board.

Dena's: Dr. Royal made a motion to **accept** the Cease and Desist Order and close the case. The motion was seconded by Dr. Lord and approved by the Board.

OPT02-024: Dr. Lord made a motion to **send** the case out for peer review, and if comes back citing a violation(s), send to the A.G.'s office for a public reprimand, \$500.00 fine, 30 day suspension, 5 years probation, random audit of patient records. Dr. Royal seconded the motion and it was approved by the Board.

The Board voted to schedule a conference call on Tuesday, July 29, 2003 to vote on Dr. Jones' recommendations regarding the investigative interview held with N.S.

There being no further business to come before the Board, the meeting was adjourned at 12:15 P.M. on July 16, 2003.